

House Bill 722 (AS PASSED HOUSE AND SENATE)

By: Representatives Glanton of the 76th, Johnson of the 75th, Baker of the 78th, Heckstall of the 62nd, and Sinkfield of the 60th

A BILL TO BE ENTITLED
AN ACT

1 To authorize the governing authority of Clayton County to levy an excise tax pursuant to
2 subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions,
3 and limitations; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Pursuant to the authority of subsection (b) of Code Section 48-13-51 of the O.C.G.A., the
8 governing authority of Clayton County is authorized within the territorial limits of the special
9 district located within Clayton County to levy an excise tax at a rate not to exceed 8 percent
10 of the charge for the furnishing for value to the public of any room or rooms, lodgings, or
11 accommodations furnished by any person or legal entity licensed by, or required to pay
12 business or occupation taxes to, the county for operating a hotel, motel, inn, lodge, tourist
13 camp, tourist cabin, campground, or any other place in which rooms, lodgings, or
14 accommodations are regularly or periodically furnished for value.

15 **SECTION 2.**

16 The enactment of this Act is subsequent to the adoption of Resolution #2009-43 of the
17 governing authority of Clayton County on March 3, 2009, which specifies the subsequent tax
18 rate, identifies the projects or tourism product development purposes, and specifies the
19 allocation of proceeds.

20 **SECTION 3.**

21 In accordance with the terms of Resolution NO. 2009-43:

22 (1) In each fiscal year during which a tax is collected pursuant to paragraph (3) of
23 subsection (b) of Code Section 48-13-51 of the O.C.G.A., an amount equal to not less
24 than 50 percent of the total amount of taxes collected that exceed the amount of taxes that

25 would be collected at the rate of 5 percent shall be expended for promoting tourism,
26 conventions, and trade shows by the destination marketing organization designated by
27 Clayton County; and
28 (2) The remaining amount of taxes collected that exceed the amount of taxes that would
29 be collected at the rate of 5 percent which are not otherwise expended under
30 paragraph (1) of this section shall be expended for tourism product development.

31 **SECTION 4.**

32 All laws and parts of laws in conflict with this Act are repealed.